<u>REMARKS</u>

Reconsideration of this application as amended is respectfully requested.

Claims 15-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by

U.S. Patent No. 6,785,704 of McCanne et al. ("McCanne").

Claims 15 and 17 have been amended. Claims 18 and 19 have been canceled.

Applicants respectfully submit that no new matter has been added.

Applicants reserve all rights with respect to the applicability of the Doctrine of

Equivalents.

Applicants respectfully submit that amended claim 15 is not anticipated by

McCanne under 35 U.S.C. § 102(e).

McCanne discloses the following:

> To facilitate the deployment of this approach, a
> block of unicast addresses could be allocated
> exclusively for APAR, thus allowing ISPs to easily
> define policies for these special anycast
> addresses. For example, IANA might initially
> allocate a /20 address block (i.e., a block of 4096
> IP addresses) to be used for APAR. Thus, an ISP
> can be sure that the anycast routing state never
> exceeds 4096 entries (but is likely to be far less in
> practice because not all addresses will be used
> and subranges will mostly likely be aggregated).
> This overcomes a problem where some ISPs use
> BGP policies to block routes with prefixes longer
> than 20 bits to avoid the case that some ISP in the
> Internet floods the BGP routing tables with many
> unique long-prefixed addresses. Instead, those
> ISPs can alter their policy to still block such
> prefixes while only allowing through long-prefix
> routes that fall within the reserved, well-known
> APAR anycast address range.

(McCanne Col. 15, lines 15-31).

McCanne also discloses the following:

> In addition, policies are programmed into
> the APAR-DNS servers to control the mapping
> of named service requests onto targets. To
> properly load balance requests across the
> service infrastructure and avoid hot spots of
> network congestion, server load information
> and network path characteristics between the
> APAR-DNS servers at the edge of the network
> (near the client) and the service infrastructure
> may be fed into the APAR-DNS server from
> some external data collection process.

(McCanne Col. 17, lines 8-16).

Applicants respectfully submit, however, that McCanne does not disclose the

following limitations of amended claim 15:

> wherein the nearest information object
> repository is selected according to specified
> performance metrics comprising average delay
> from the nearest information object repository
> to a source of the request, average processing
> delay at the nearest information object
> repository, reliability of a path from the nearest
> information object repository, available
> bandwidth a said path, and loads on the
> nearest information object repository.

(Amended claim 15).

Applicants respectfully submit that although McCanne refers to hot spots of

network congestion, server load information, and network path characteristics between

APAR-DNS servers at the edge of the network (near the client) and the service

infrastructure, McCanne fails to disclose the performance metrics of amended claim 15,

which in contrast to McCanne, specifically focus on performance metrics related to the

nearest information object repository or the path. In short, the method disclosed by McCanne fails to anticipate the much more tailored approach of amended claim 15.

Furthermore, applicants respectfully submit that McCanne does not disclose a selection according the combination of the following specified performance metrics that are set forth in amended claim 15:

(1) average delay from the nearest information object repository to a source of the request;

(2) average processing delay at the nearest information object repository;

(3) reliability of a path from the nearest information object repository;

(4) available bandwidth in said path; and

(5) loads on the nearest information object repository.

Thus applicants respectfully submit that amended claim 15 is not anticipated under 35 U.S.C. § 102(e) by McCanne.

Given that claim 16 and amended claim 17 are dependent claims that are dependent on amended claim 15, directly or indirectly, applicants submit that claim 16 and amended claim 17 are not anticipated under 35 U.S.C. § 102(e) by McCanne.
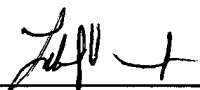
It is respectfully submitted that the applicable rejections and objections have been overcome.

If there are any charges not covered by any checks submitted, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: March 21, 2006

Lester J. Vincent
Reg. No. 31,460

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300